

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

HOLLI LUNDAHL,

Petitioner,

vs.

ATTORNEY GENERAL OF THE
UNITED STATES,

Respondent.

2:07-cv-01449-KJD-LRL

ORDER

This matter comes before the Court for initial review pursuant to Rule 1(b) and Rule 4 of the Rules Governing Section 2254 Cases.

According to the allegations of the petition, petitioner Holli Lundahl is in custody in Utah and is facing two pending federal criminal prosecutions in the District of Utah. Lundahl seeks “a writ of habeas corpus pursuant to 28 U.S.C. § 2255,” special relief under the “Larson-Dugan Doctrine,” and a mandatory injunction under the All Writs Act, 28 U.S.C. § 1651, with all such requests for relief seeking a release from custody and a halt to the pending federal criminal proceedings in Utah. The law is well-established that jurisdiction over a federal habeas petition challenging present physical confinement exists only within the federal district where the petitioner is confined. *See, e.g., Rumsfeld v. Padilla*, 542 U.S. 426, 443-47, 124 S.Ct. 2711, 2722-25, 159 L.Ed.2d 513 (2004). Petitioner is not in custody in this district, and this Court accordingly lacks jurisdiction over the petition for habeas relief, whether under 28

1 U.S.C. § 2241 or instead under § 2255. This Court otherwise does not have jurisdiction,
2 appellate or otherwise, over proceedings in the coequal federal district court in the District of
3 Utah. This Court has no jurisdiction to issue orders directed to proceedings in that court,
4 whether in habeas corpus, under any "Larson-Dugan Doctrine," or under the All Writs Act.

5 IT THEREFORE IS ORDERED that this action is DISMISSED without prejudice for lack
6 of jurisdiction over the subject matter.

7 The Clerk of Court shall enter final judgment accordingly.

8 DATED: November 15, 2007

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Kent J. Dawson
United States District Judge
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